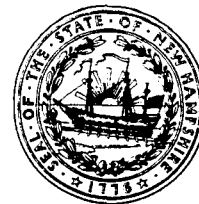




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-1370 FAX (603) 271-1381



March 10, 2000

Mr. Paul Johonnett
Bedford Water Center
137 Bedford Center Road
Bedford, NH 03110

CERTIFIED MAIL (Z 535 302 035)
RETURN-RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. ARD 2000-006

Re: Open Burning of Materials that Do Not Conform to the Provisions of CHAPTER ENV-A 1000

Dear Mr. Johonnett:

On February 6, 2000, The New Hampshire Department of Environmental Services, Air Resources Division ("DES") received information from officials having jurisdiction over open burning, namely, the Bedford Fire Department and the NH State Police, that a recent fire had been extinguished which consisted of approximately 15-20 tires which were burned at a residence and business owned by you, located at 137 Bedford Center Road, Bedford, NH. An inspection was performed to determine compliance with the NH Admin. Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution, specifically, CHAPTER Env-A 1000, Prevention, Abatement, and Control of Open Source Air Pollution.

Based upon the information received and observations made during the inspection, it was concluded that you were in violation of Env-A 1001.05(a) by burning tires illegally at the above-referenced location. Env-A 1001.05(a) Absolute Prohibition Against Burning Tires and Tubes provides that no tires, tubes or any portion thereof shall be burned in the ambient air at any place in the state for any reason. Attached is a copy of Env-A 1000 for your reference.

DES believes that future violations can be avoided by your adherence to the following steps:

- 1) Refrain from the burning of any tires or any portion thereof in the ambient air at any time; and
- 2) Contact the appropriate DES personnel for permitting requirements or locations where tires can be properly disposed. Tires are solid waste and can be disposed of at any solid waste facility.

In the event that compliance is not maintained, DES may take further action against you, including issuing an administrative order, seeking administrative fines, and/or referral to the NH Department of Justice for civil and/or criminal penalties. Please note that DES may conduct follow-up inspections to verify your compliance with air pollution control requirements.

If you have any questions concerning this letter of deficiency, please contact Ms. Mary Ruel, Compliance Bureau, Air Resources Division, at (603) 271-6795.

Sincerely,

COPY
Robert R. Scott
Compliance Bureau Administrator
Air Resources Division

Enclosure: Env-A 1000

cc: K. A. Colburn, DES O/C
G. Rule, DES O/C
T. McCusker, EPA, Region I
Board of Selectmen - Town of Bedford
Robert D. Nelson, Chief, Forest Protection, DRED